

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

535C0487

## SENATE JUDICIARY COMMITTEE ENGROSSED NO. **HB1091** - 2/11/99

Introduced by: Representatives Brown (Jarvis), Crisp, and Hunt and Senators Whiting, Everist, and Moore

1 FOR AN ACT ENTITLED, An Act to provide that stipulations regarding the value of an estate  
2 being probated and decrees regarding the inheritance tax due be sealed.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 10-41 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Upon request of the person filing the report described in § 10-41-17, the stipulation of the  
7 value of any property of the estate as described in § 10-41-32 and the decree of the court as  
8 described in § 10-41-33, shall be sealed and may not be disclosed except by order of the court.  
9 However, the stipulation and decree shall be available to abstractors or employees of abstractors  
10 licensed pursuant to chapter 36-13, employees and agents of title insurance companies licensed  
11 pursuant to chapter 58-25, attorneys who are licensed to practice law pursuant to chapter 16-16  
12 and who are representing a client, relatives, of the decedent within the third degree of kinship,  
13 the spouse of the decedent, joint tenants of the decedent, any intestate heirs of the decedent  
14 which relationship shall be established by sworn affidavit, and such other interested persons as  
15 the court may order upon a showing of the need therefor.

1    **BILL HISTORY**

2    1/21/99 First read in House and referred to Judiciary. H.J. 108

3    1/27/99 Scheduled for Committee hearing on this date.

4    1/27/99 Judiciary Do Pass Amended, Passed, AYES 10, NAYS 0. H.J. 206

5    1/27/99 Judiciary Place on Consent Calendar.

6    2/1/99 House of Representatives Deferred to another day. H.J. 292

7    2/2/99 Motion to Amend, Passed. H.J. 322

8    2/2/99 Motion to Amend, Passed. H.J. 322

9    2/2/99 House of Representatives Do Pass Amended, Passed, AYES 69, NAYS 0. H.J. 322

10   2/3/99 First read in Senate and referred to Judiciary. S.J. 322

11   2/10/99 Scheduled for Committee hearing on this date.

12   2/10/99 Judiciary Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 415

13   2/10/99 Judiciary Place on Consent Calendar.